

**Final Report: External Focus Group
8-5-04**

Executive Summary

Over the past month 5 facilitated focus group sessions were held with the major constituent groups affected by program areas managed by the Bureau of Waste Management. The groups were very pleased to be asked to participate in these sessions and came well prepared. They viewed the sessions as a good first step and hoped the openness would continue.

Overall they were very complimentary to the staff and their professionalism. They find staff helpful, well informed and customer focused. They like the local contacts and felt the regional staff knew their business better than the central office.

They feel they support the program externally. They are frustrated by what they feel are internal warring factions, discrepancies in how different staff interpret the laws and rules and work with them. Their biggest overall concerns were on timeliness, ease of access to information and clarity and consistency in interpretation of statutes and rules.

Methodology

Five separate focus group sessions were held. Each session lasted two hours and the groups had questions tailored to their specific industry. The questions were sent to the participants ahead of time. Focus group minutes were sent to the participants and they were given an opportunity to make changes or additions. No changes were submitted

Structural Concerns

Culture - There was a strong and consistent theme around culture. When probed a little it seemed that although there was some differences between central office and regional offices it was more than that. It was described as conservative and progressive. They also focused on an unwillingness to take risk. It also seemed to be as much across programs as well as across the state. They seemed very aware of internal issues and trust problems.

Program Communication – There was a general theme around communication covering issues between central office and regions and from one program to another. They felt communication was not timely. They did however very much like the sharing of draft documents. Citizen groups felt they were shut out of the process and it is difficult to get information or make copies of things. They made it clear it was a convenience not a cost problem.

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Redundancies – Concerns that the state recalculates everything on the application or when moving from one stage of a project to another were voiced as discussions on efficiency evolved. It was felt that no value was added and indeed it constituted a waste of resources to redo calculations.

Staff – Although they were supportive of staff they also felt that there were not enough staff and that although staff are technically proficient there was a general concern that there is not enough training. This could be real or just a projection based on their concerns that the programs are not adequately funded.

Management – There were several comments about management. In general the comments were directed at supervisors not addressing communication and staff performance issues.

Process Concerns

Time – Almost every group had comments on timeliness. They felt that they did not care what the timeline was, just that once WDNR committed to a date they stuck to it. They felt very strongly that WDNR repeatedly missed dates set internally and missed them by a significant amount of time. A specific problem was raised (although for very different reasons) about the contested case process that had significant issues raised late in the process when the potential to affect the overall outcome is limited. The environmental groups were concerned about time and the fact that they felt they were being cut out of the contested case hearings.

Cost – No one really complained about costs. They felt that they supported recent requests for increases. They do feel that they are not getting what they pay for. In addition, the consultants felt that WDNR was not aware enough of the costs to site a landfill, etc.

Science – There was a general feeling that WDNR is slow to accept scientific findings from other groups and slow to make changes based on new – yet proven – technologies.

There was a side theme that addressed alternative approaches to regulation to encourage companies to go beyond compliance. They would like WDNR to look at programs in other state agencies (DATCP and Commerce) and other states.

Consistency – There was strong sentiment concerning consistency. They felt that our programs, laws, and rules are not being interpreted consistently, we are not predictable, nor clear in our communications.

Enforcement – Would like to see more targeted enforcement. Go after the bad performers and let the good ones do self-reporting with spot checks.

Funding Issues

Need adequate funding – concerns around staff education and training, ability to get to sites or information sharing events, etc. Voiced concern that recycling will not be funded, that the funding is promised and slow to be disbursed. Would like to see outreach and targeted programs refreshed and supported.

Futures

Several topics were touched upon as either future trends in the industry or areas for program perspectives to change. These were touched on only briefly, but should be included as they may help point to areas to focus on or different ways to focus our resources. These were:

- Use technology more – web and electronic submittals
- Broaden our perspectives – look at land use, reclamation,
- Expand manufacturer's responsibility for waste stream management
- Resurrect regional meetings, TAGs, information exchanges
- Fewer municipal land fills
- Green Tier
- Self-certification
- Develop checklists
- Single stream recycling
- Create a core group to review alternatives, new technology and research from other groups
- Smart Growth

Overlap Between Internal and External Focus Groups

Although not an actual part of the external focus group sessions, it is worth noting that although there are the expected differences of opinion expressed from the regulated and regulator viewpoints there are many areas where there were substantially similar comments. This will probably be reported on in more detail in the report on the internal focus group session. However, the major areas of agreement: management needs to manage, staffing needs to increase, funding needs to be adequate, staff need to be supported both technically and administratively, the rift between different parts of the program need to be addressed, and communication needs to improve.

Appendix:

- **List of Attendees**
- **List of Questions**
- **Focus Group Minutes**
- **Post Focus Group Meeting e-mail Comments**

Appendix – List of Attendees

Industry – June 29, 2004

Neil Peters-Michaud, Cascade Asset Management

Peter Peshek, DeWitt Ross & Stevens

John Piotrowski, Packaging Corp. of America

Kelly Taylor, Safety-Kleen Systems

Haulers and Landfills – June 30, 2004

Gerard Hamblin, Waste Management Inc.

Jim Hartleben, Wittenberg Disposal

Brian Jongetjes, John's Disposal

Jerry Mandli, SWANA/Dane County

Dan Otzelberger, Mike Etner, Republic Services, Inc.

Todd Watermolen, Onyx Superior Services

Environmental Groups – June 30, 2004

Steve Hiniker, 1000 Friends of Wisconsin

John Imes, Wisconsin Environmental Initiative

Toral Jah, Grassroots Recycling Network

Jenna Kunde, WasteCap Wisconsin

Charlene LeMoine, Russ Evans, Waukesha Environmental Action League

Elizabeth Wheeler

Local Government – July 1, 2004

Bill Casey, WCSWMA (Wisconsin County Solid Waste Managers Assoc.)

Mike Englebart, Milwaukee Public Works

Chuck Larscheid, Brown County Solid Waste

Rick Schneider, NWRPC (North West Regional Planning Commission)

Rick Stadelman, Wisconsin Towns Association

Consultants – July 1, 2004

Tim Ambrosius, CQM Inc.

Steve Bischoff, Ayres Associates

Leslie Busse, BT²

Mark Halleen, Foth & Van Dyke

Joel Schittone, RMT Inc.

Richard Weber,

Hooshang Zeghami, Central Wisconsin Engineers

Appendix – List of Questions used at external focus group sessions

Landfill and Haulers

1. What are the business needs and technology advances that you believe we should be aware of in issuing solid and hazardous waste approvals and licenses?
2. What business needs are currently not met by our program or in our approvals and permitting?
3. What are the current costs to you in the approval, permitting, licensing we do? What are acceptable costs?
4. What are we doing well in the program?
5. How will you judge if we are successful?
6. What has been your experience in other states in obtaining solid and hazardous waste permits, approvals or licenses?
7. If you could change 3 things about how the Waste Management program operates, what would they be?
8. Do you think changes will actually be made to the program that will help business? Why/Why not?

Industry

1. Tell us a little bit about how you feel your industry views us as a program and how we do business?
2. What do you believe should be the highest priority of the Waste Management Program in the near term and in years to come?
3. What kind of changes would make this program be perceived as more progressive and innovative?
4. What does it mean for a regulatory program to be adaptive?
5. Help us put into perspective why letting go of some oversight responsibilities and empowering our stakeholders is good for the program and good for Wisconsin.
6. Tell us a little about political realities that we may not see.

Government

1. What types of activities have you had experience with the waste program – land fills, solid waste facility approvals, composting, recycling, etc.?
2. What of your experience was positive and where could we have done better?
3. Where do you see areas that changes could be made – consider items such as staffing, code/statutory, process, etc.?
4. What issues do you see affecting the waste industry and/or municipalities in the future that we should be anticipating?
5. In your experience, are there innovative approaches that you've seen utilized that could be expanded on and utilized more extensively throughout the state?
6. If you could change 3 things about our solid and our hazardous waste programs what would they be?

Environmental

1. What experience have you had with the waste program – our regulatory process and rule making?
2. What are we doing well – why is it successful and how could we build on these successes in our work?
3. What are the main issues that we should be aware of in reviewing and issuing solid waste and hazardous waste approvals or in changing our approval process or rules?
4. What changes or approaches do you recommend we adopt to be better positioned to meet changing needs of industry, the environment and our public?
5. How do you compare our program and our regulatory process to other states you work with? Please provide specific examples.
6. If you could change 3 things about our solid and our hazardous waste programs what would they be?

Consultants

1. What are the business needs and technology advances that you believe we should be aware of in issuing solid and hazardous waste approvals and licenses?
2. What business needs are currently not met by our program or in our approvals and permitting
3. What are we doing well in the program?
4. How will you judge if we are successful?
5. What has been your experience in other states in obtaining solid and hazardous waste permits, approvals, or licenses?
6. What are the current costs to you in the approval, permitting, and licensing we do? What are the acceptable costs?
7. If you could change 3 things about how the Waste Management program operates, what would they be?
8. Do you think changes will be made to the program that will help business? Why/Why not?